



Agenda Date: 9/13/05  
Agenda Item: 9A

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**Two Gateway Center**  
**Newark, NJ 07102**  
**www.bpu.state.nj.us**

IN THE MATTER OF EVELYN DeLAURENTIS	)	ORDER DENYING
PETITION FOR EXEMPTION FROM SMART GROWTH	)	EXEMPTION
RULES <u>N.J.A.C. 14:3-8.8(a)(6)</u>	)	
	)	NON-DOCKETED MATTER

(SERVICE LIST ATTACHED)

BY THE BOARD:

The Board of Public Utilities ("Board") adopted its Extension of Service Rules ("Main Extension Rules") on November 16, 2004 and these rules were subsequently published in the New Jersey Register on December 20, 2004 at 36 N.J.R. 5928. The Main Extension Rules were promulgated to ensure that the Board's regulations governing extension of service reflected the State of New Jersey's Smart Growth policies. This Order will address a petition for an exemption from the Main Extension Rules.

The Board will address a request by Evelyn DeLaurentis (Petitioner) for an exemption from the Main Extension Rules pursuant to N.J.A.C. 14:3-8.8(a)(6). This section of the rules provides for an exemption from the cost limits on extensions of service in areas not designated for growth for projects that would result in an extraordinary hardship as described in the rule. The Petitioner built a house at 98 Meany Road in Wrightstown, Burlington County, in an area not designated for growth. Petitioner now seeks relief from the rules which would otherwise require the Petitioner to pay the entire cost of extending electric service to their house on Meany Road. JCP&L has determined the cost of extending service to the house would be \$3,147.08.

To obtain an exemption based on an extraordinary hardship, N.J.A.C. 14:3-8.8(a)(6) provides that a person must demonstrate to the Board that all of the following criteria are met:

Compliance with this subchapter would cause an extraordinary hardship;

2. The extraordinary hardship results from unique circumstances that do not apply to or affect other projects in the region;

3. The unique circumstances arise from the project itself and not from the circumstances or situation of the regulated entity or its customers; and
4. Neither the extraordinary hardship nor the unique circumstances are the result of any action or inaction by the regulated entity, its shareholders, or its customers.

DISCUSSION:

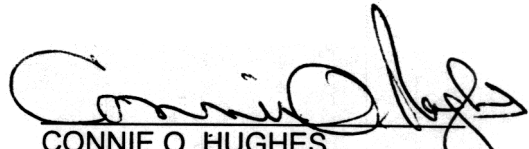
After reviewing the petition, the Board FINDS that the above criteria are not met. Specifically, the Board FINDS that the unique circumstances that led to the claimed extraordinary hardship did not arise from the circumstances of the project itself but rather from the personal financial distress arising from circumstances unrelated to the project. Therefore, the Board HEREBY DENIES the petition for an exemption from the Main Extension Rules pursuant to N.J.A.C. 14:3-8.8(a)(6) for an extension of electric service to a house at 98 Meany Road in Wrightstown.

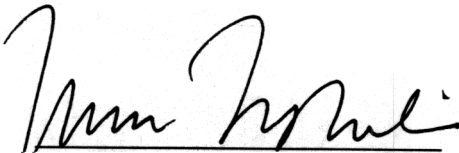
DATED: 9/14/06


BOARD OF PUBLIC UTILITIES  
BY:

  
JEANNE M. FOX  
PRESIDENT

  
FREDERICK F. BUTLER  
COMMISSIONER

  
CONNIE O. HUGHES  
COMMISSIONER

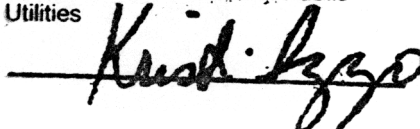
  
JOSEPH L. FIORDALISO  
COMMISSIONER

  
CHRISTINE V. BATOR  
COMMISSIONER

ATTEST:

  
KRISTI IZZO  
SECRETARY

I HEREBY CERTIFY that the within  
document is a true copy of the original  
in the files of the Board of Public  
Utilities



IN THE MATTER OF EVELYN DeLAURENTIS  
PETITION FOR EXEMPTION FROM SMART GROWTH  
RULES N.J.A.C. 14:3-8.8(a)(6)

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